

REMARKS

Claims 18 and 20 have been rejected under 35 USC 102(e) as anticipated by Eschbach. The rejection is respectfully traversed.

Referring to Figure 7 and the corresponding portion of the specification in Eschbach, it is clear that only two, at most, image data (i.e. contrast and/or exposure) are considered when filtering the image. In the claimed invention, on the other hand, at least three items of image data are considered, as required by the claimed invention.

Claims 1, 2, 7-9 and 14-17 have been allowed, and claim 19 would be allowable if rewritten in independent form.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.325772009600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 20, 2005

Respectfully submitted,

By 

Kevin R. Spivak

Registration No.: 43,148

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

Telephone (703) 760-7762